

29094. Sage leaves. (F.D.C. No. 48797. S. No. 71-197 V.)

QUANTITY: 3 50-kg. bales, at Ecorse, Mich.

SHIPPED: 3-8-63 and 4-1-63, from Chicago, Ill., by Kearns & Smith, Spice Div. of Archibald & Kendall, Inc.

LABEL IN PART: (Bale) "Dalmation Sage Leaves Product of Yugoslavia"; (tag) "From Kearns & Smith Spice Div. Archibald & Kendall, Inc. * * * Chicago 24, Illinois * * * Black Diamond Brand Dalm. Leaf Sage."

LIBELED: 6-3-63, E. Dist. Mich.

CHARGE: 402(a) (3)—contained human, rodent, and cow hairs when shipped.

DISPOSITION: 7-5-63. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

29095. A-D-C water-soluble mix. (F.D.C. No. 48724. S. No. 45-456 V.)

QUANTITY: 7 drums, each containing 25 1-lb. bags, at Washburn, Mo.

SHIPPED: 5-25-62, from Indianapolis, Ind.

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 50 percent of the declared amount of vitamin A.

LIBELED: 3-18-63, W. Dist. Mo.

CHARGE: 402(b) (1)—while held for sale, the valuable constituent, vitamin A, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Each Pound Contains: Vitamin A USP Units 8,000,000" was false and misleading.

DISPOSITION: 5-2-63. Default—destruction.

29096. La Lanne's instant breakfast food. (F.D.C. No. 48248. S. No. 30-181 V.)

QUANTITY: 1,937 boxes, each containing 4 7-oz. cans, at Los Angeles, Calif., in possession of Hollywood Premium Mailing Service.

SHIPPED: 2-28-62, from Cleveland, Ohio.

LABEL IN PART: (Can) "Jack La Lanne's Instant Breakfast The Delicious New Way To Enjoy a Nutritious Low Calorie Breakfast in just Seconds 7 Complete Breakfasts Formulated for La Lanne, Inc. Home Office, Hollywood 27, California."

ACCOMPANYING LABELING: Pamphlet entitled "Jack La Lanne's Plan For Weight Control," pamphlet entitled "New! * * * Jack La Lanne's Instant Breakfast," brochure entitled "Its Fun to Live and really enjoy life," order form, and return envelope.

RESULTS OF INVESTIGATION: The article had been shipped in bulk from Cleveland, Ohio, to Pasadena, Calif., where it was repacked into labeled cans supplied by La Lanne, Inc. The repacked article was then shipped to Hollywood Premium Mailing Service which packed the cans into boxes with the above accompanying labeling which had been received direct from the printer.

LIBELED: 10-25-62, S. Dist. Calif.

CHARGE: 403(a)—while held for sale, the name of the article, "Instant Breakfast" and statements in its labeling represented and suggested that the article contained an unusual quantity of protein for special dietary supplementation in an amount which was low in calories and was, therefore, of special value for weight reducing; that it satisfied the appetite and appeased hunger; and